11. (Amended) A piece of luggage comprising:

a housing defining a compartment for storing objects, said housing defining a closable opening for inserting and removing said objects, said housing being comprised of a fabric layer consisting essentially of a woven fabric, said woven fabric being made from multifilament nylon yarns, said yarns having a denier of from about 800 to about 1400; and

a chemical composition applied to said woven fabric, said chemical composition being incorporated into said fabric such that said fabric has an abrasion resistance that is at least twice the abrasion resistance of the woven fabric not treated with the chemical composition.

A2.

REMARKS

In view of the following remarks, reconsideration and allowance of claims 1-20, including independent claims 1 and 11, are respectfully requested.

In general, claims 1 and 11 are directed to a piece of luggage that is constructed from a woven fabric that has significantly improved abrasion resistant properties. In particular, the present invention is directed to a luggage fabric treated with a chemical composition, such as a durable water resistant composition. The present inventors discovered that the durable water resistant composition not only makes the fabric water resistant, but also imparts abrasion resistance to the fabric. In one embodiment, the water resistant coating may include a fluoropolymer.

As now amended, claims 1 and 11 further require that the piece of luggage include a housing made from a fabric layer and that the fabric layer consists essentially of the woven fabric. Claims 1 and 11 have now been amended to exclude the use of fabric composites in constructing the luggage. The durable water resistant treatment of the present invention is used to improve the abrasion resistance of the fabric without the necessity of having to use multiple layers of different fabrics.

In the office action dated May 20, 2002, claims 1-17 and 19 were rejected as being unpatentable over Stahle, et al. (US 5,187,005) in view of Hargis, et al. (US 5,674,951). As the Office Action points out, Stahle, et al. fail to disclose that a chemical composition doubled the abrasion resistance of the woven fabric, that the woven fabric has about 36 to about 46 picks per inch and a basis weight from about 10 to about 15 oz/yd^2, and that the chemical composition comprises a fluorocarbon polymer composition.

Stahle, et al. is specifically directed to the use of a fabric composite made from non-woven webs and woven fabrics. As stated in column 2, starting at line 64, Stahle, et al. teach that the use of a spunbond non-woven web in conjunction with other fabric layers replaces the typical water-proof coatings applied to luggage fabrics. Further, as stated in column 12, starting at line 5, the spunbond non-woven web provides resistance to yarn ravel when used in the construction of softside luggage.

As stated above, in the Office Action, Stahle, et al. was combined with Hargis, et al. in rejecting claims 1 and 11. In the Field of Invention section, Hargis, et al. explain that their invention relates to a storage stable, heat curable, urethane composition which is useful as a low friction coating especially for elastomeric substrates such as vehicle glass run channel, door seals, and belt strips. Column 1, Lines 10-15. Hargis, et al. is mainly directed to urethane coating compositions which use as a portion thereof oxetane polymers having highly fluorinated side chains. Column 1, Lines 39-43. The preferred use is on glass run channels from ethylene-propylene-diene polymers where the coating allows automotive windows to move relative to the channel or belt strip with minimal friction. Column 1, Lines 19-22. The only mention of the chemical composition disclosed by Hargis, et al. on luggage is in the Polymerization Example 2 in column 12, line 45.

Even if Hargis, et al., however, were combinable with Stahle, et al., various features and aspects of the claimed invention remain absent. For instance, the essence of Stahle, et al. is to construct luggage using fabric composites made from non-woven layers and woven layers. Since claims 1 and 11 have been amended to require that the piece of luggage be made from a fabric layer that consists essentially of a woven fabric, it is believed that the claims as now amended patentably define over Stahle, et al. either alone or in combination with Hargis, et al.

Further, Applicants respectfully submit that there would have been no motivation or incentive to combine Hargis, et al. and Stahle, et al. in arriving at the claimed invention. For instance, Stahle, et al. teaches using a spunbond non-woven web in order to improve resistance to yarn ravel. Hargis, et al. simply discloses a coating composition that may be used (mentioned once) in the construction of luggage. There is no teaching or disclosure from either reference that by applying the coating composition in Hargis, et al. will a particular woven fabric double its abrasion resistance. At the very most, the combination

of Stahle, et al. and Hargis, et al. provide an "obvious to try" situation. Such a combination, therefore, in no way rises to a Prima Facie case of obviousness necessary to reject the above claims.

In the office action, Chakravarti, et al. and Tieniber, et al. were also cited in rejecting various dependent claims. Since these claims further limit and define the invention of claims 1 and 11, however, it is believed that all of the claims also patently define over these two additional references.

In conclusion, it is believed that the present application is in complete condition for allowance and favorable action; therefore, it is respectfully requested. Examiner Ruddock is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this response.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

October 21, 2002
Date

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APPENDIX A

1. (Amended) A piece of luggage comprising:

a housing defining a compartment for storing objects, said housing defining a closable opening for inserting and removing said objects, said housing being comprised of a fabric layer consisting essentially of a woven fabric;

a chemical composition applied to said fabric, said chemical composition being incorporated into said fabric such that said fabric has an abrasion resistance that is at least twice the abrasion resistance of the woven fabric not treated with the chemical composition.

11. (Amended) A piece of luggage comprising:

a housing defining a compartment for storing objects, said housing defining a closable opening for inserting and removing said objects, said housing being comprised of a fabric layer consisting essentially of a woven fabric, said woven fabric being made from multifilament nylon yarns, said yarns having a denier of from about 800 to about 1400; and

a chemical composition applied to said woven fabric, said chemical composition being incorporated into said fabric such that said fabric has an abrasion resistance that is at least twice the abrasion resistance of the woven fabric not treated with the chemical composition.